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5 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

6 HAROLD JOHN MURPHY, JR.,

7 Plaintiff,

8 v.

9 WASHINGTON STATE DEPARTMENT
10 OF CORRECTIONS, et al.,

11 Defendants.

CASE NO. C11-5174BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

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13 This matter comes before the Court on the Report and Recommendation ("R&R")
14 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 14. The
15 Court having considered the R&R and the remaining record, and no objections having
16 been filed, does hereby find and order as follows:

- 17 (1) The R&R is **ADOPTED**; and
18 (2) Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE**.

19 Dated this 22nd day of September, 2011.

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22 BENJAMIN H. SETTLE
United States District Judge